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**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CLERK
 U.S. BANKRUPTCY
 COURT - WDPA

In re: : Case No.: 17-23657-GLT
 : Chapter: 11
 Marks, Inc. :
 :
 :
 :
 Debtor(s). : Date: 12/3/2020
 : Time: 10:00

PROCEEDING MEMO

MATTER: #177 - Continued Motion to Reopen Chapter 11 Case Motion to
 Reopen Bankruptcy Case
 #182 - Response filed by Marks

#173 - Continued Motion to Enforce the Plan and Request for
 Status Conference
 #181 - Response Filed By Marks
 #186 - Status Report filed by Eby-Brown
 #193 - Status Report filed by Eby-Brown

APPEARANCES:

Debtor: John Lacher
 Creditor: John Gotaskie

NOTES: (10:00)

Gotaskie: I have had additional correspondence with Mr. Thompson since the status report. I'm not sure there's much more this court can do. I believe Mr. Thompson is making a good faith effort to obtain the information. The owners of the debtor are in their 80s and are in poor health. The accountant that has the information has been difficult.

Lacher: I do think Attny Thompson is doing his best. With more than \$290,000 in proceeds, \$280,000 has been accounted for. This is a failed plan, they're entitled to money under the plan. But I don't believe this matter belongs in this court.

Court: So the amount has been limited to \$10,000?

Gotaskie: I know that's what Mr. Thompson and Mr. Lacher say, but the outstanding documents indicate it may be more. I think we can account for \$210,000.

Court: But \$80,000 or less?

Gotaskie: Yes.

Court: Do you believe there's anything else this Court can do?

Gotaskie: In all candor, I do not.

Court: I will consider these matters to be concluded and will deny the motions without prejudice on the basis that the parties can pursuing their rights in another forum.

OUTCOME:

1. Eby-Brown's *Continued Motion to Enforce the Plan and Request for Status Conference* [Dkt. No. 173] is DENIED [Text Order to Issue]

2. Eby-Brown's *Continued Motion to Reopen Bankruptcy Case* [Dkt. No. 177] is DENIED [Text Order to Issue]

DATED: 12/3/2020